

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, *ex rel.* :
DILBAGH SINGH, M.D., :
PAUL KIRSCH, M.D., and :
V. RAO NADELLA, M.D., and :
MARTIN JACOBS, M.D., :
Realtors :

v. :

CIVIL ACTION No. 04-186E

BRADFORD REGIONAL MEDICAL :
CENTER, V & S MEDICAL :
ASSOCIATES, LLC, :
PETER VACARO, M.D., :
KAMRAN SALEH, M.D., :
and DOES I through XX, :
Defendants :

AFFIDAVIT OF MARK KRESSE, PT, FACHE
IN SUPPORT OF MOTION FOR PROTECTIVE ORDER OF
TRI-COUNTY DIAGNOSTIC TESTING SERVICES, LLC

AND NOW, comes the Deponent, Mark Kresse, P.T., F.A.C.H.E who being duly sworn according to law hereby deposes and says as follows:

1. Tri-County Diagnostic Testing Services, LLC ("Tri-County") is a limited liability company. Tri-County provides cardiac services in the nature of nuclear stress tests and echocardiograms to patients in the Bradford, Pennsylvania area.
2. I am the Board Secretary of Tri-County and have been the Board Secretary of Tri-County since officers were first elected by Tri-County.
3. As Board Secretary, I am the custodian of the documents requested by the Defendant, Bradford Regional Medical Center ("Bradford"). The documents Bradford has requested are located in Erie. Tri-County does not employ any

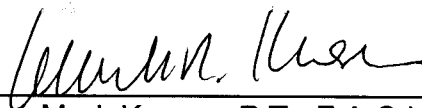
administrative personnel in Erie who could review the Tri-County files to determine whether a particular document is responsive to the subpoena. Thus, it would be my responsibility to search through all of the Tri-County files to determine which documents would be responsive to the subpoena.

4. One of the members of Tri-County is Clinical Services, Inc., a subsidiary of Saint Vincent Health System. I am a Vice President of the Saint Vincent Health Center which is also a subsidiary of Saint Vincent Health System. I am employed full time by the Health Center. I am not an employee of Tri-County.

5. I have reviewed the subpoena served by Bradford on Tri-County and the request for documents contained therein.

6. It is my belief that it would take me approximately one to two weeks working non-stop for me search through the Tri-County files to produce, and arrange to have copies made of, the documents requested by Bradford in its subpoena.

7. The above statements are true and correct to the best of my knowledge, information and belief.



Mark Kresse, P.T., F.A.C.H.E.

Sworn to and subscribed before me
this 17th day of May, 2007.

